

21.12.2020
121
Saswata
(rejected).

C.R.M. 9420 of 2020

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ratua P. S. Case No.420 of 2020 dated 13.09.2020 under Sections 376/506/109 of the IPC.

In the matter of : Aktar Mia & anr.

... Petitioners.

Mr. Sagar Saha

...for the Petitioners.

Mr. Sukanya Bhattacharya

Md. Kutubuddin

.....for the State.

Statement of the victim prima facie discloses involvement of the petitioner in the forcible rape of the victim. In such circumstances, we are not inclined to grant anticipatory bail to the petitioner no.1.

However, keeping in mind the extent of complicity of petitioner no.2 in the alleged crime we are of the opinion that the petitioner no.2 may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner no. 2 be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J)

